

TERRELL | MARSHALL

LAW GROUP PLLC

Erika L. Nusser
enusser@terrellmarshall.com

File No. 2418-001.C

February 10, 2021

Via CM-ECF

The Honorable Nicholas G. Garaufis
United States District Court for the
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Thorne v. Square, Inc., et al.*
Civil Action No. 1:20-cv-05119-NGG-RML

Your Honor:

My firm is co-counsel to Plaintiffs in the above-referenced action. Pursuant to Fed. R. Civ. P. 15(a)(3), Defendants' responses to Plaintiffs' First Amended Complaint are due on February 15, 2021. As stated in the Parties' stipulation concerning Plaintiff Thorne's original complaint, Defendants intend to move to compel arbitration. The parties request that the deadline for Defendants to respond to Plaintiffs' First Amended Complaint be continued, and that Defendants' deadline to file their pre-motion conference letter in connection with their anticipated motion(s) to compel arbitration be set for March 3, 2021. This is the first request for an extension with respect to Plaintiffs' First Amended Complaint.

The parties further agree that any deadline to file a Rule 12(b)(6) motion to dismiss is stayed pending the Court's decision on the motion(s) to compel arbitration.

Respectfully,

/s/ Erika L. Nusser
Erika L. Nusser

ELN:ts
cc: All counsel of record

Application Granted.
SO-ORDERED.
/s/ Nicholas G. Garaufis, U.S.D.J.
Hon. Nicholas G. Garaufis
Date: February 12, 2021